

# EXHIBIT A



State of Alabama  
Unified Judicial System  
Form AR Civ-93 Rev. 9/18

**COVER SHEET  
CIRCUIT COURT - CIVIL CASE**  
(Not For Domestic Relations Cases)

Case No. 40  
Date of Filing: 11/12/2019  
Judge Code:

**GENERAL INFORMATION**

**IN THE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA**

**ISA RENEE SPRUIELL AS PERSONAL REPRESENTATIVE OF JAMES LAWSON SPRUIELL, DECEASED ET AL v.**

**First Plaintiff:**  Business  Individual  
 Government  Other

**First Defendant:**  Business  Individual  
 Government  Other

**NATURE OF SUIT:** Select primary cause of action, by checking box (check only one) that best characterizes your action:

**TORTS: PERSONAL INJURY**

- WDEA - Wrongful Death
- TONG - Negligence: General
- TOMV - Negligence: Motor Vehicle
- TOWA - Wantonness
- TOPL - Product Liability/AEMLD
- TOMM - Malpractice-Medical
- TOLM - Malpractice-Legal
- TOOM - Malpractice-Other
- TBFM - Fraud/Bad Faith/Misrepresentation
- TOXX - Other: \_\_\_\_\_

**TORTS: PERSONAL INJURY**

- TOPE - Personal Property
- TORE - Real Property

**OTHER CIVIL FILINGS**

- ABAN - Abandoned Automobile
- ACCT - Account & Nonmortgage
- APAA - Administrative Agency Appeal
- ADPA - Administrative Procedure Act
- ANPS - Adults in Need of Protective Services

**OTHER CIVIL FILINGS (cont'd)**

- MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- CVRT - Civil Rights
- COND - Condemnation/Eminent Domain/Right-of-Way
- CTMP - Contempt of Court
- CONT - Contract/Ejectment/Writ of Seizure
- TOCN - Conversion
- EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
- CVUD - Eviction Appeal/Unlawful Detainer
- FORJ - Foreign Judgment
- FORF - Fruits of Crime Forfeiture
- MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
- PFAB - Protection From Abuse
- EPFA - Elder Protection From Abuse
- FELA - Railroad/Seaman (FELA)
- RPRO - Real Property
- WTEG - Will/Trust/Estate/Guardianship/Conservatorship
- COMP - Workers' Compensation
- CVXX - Miscellaneous Circuit Civil Case

**ORIGIN:**  F  INITIAL FILING

A  APPEAL FROM  
DISTRICT COURT

O  OTHER

R  REMANDED

T  TRANSFERRED FROM  
OTHER CIRCUIT COURT

**HAS JURY TRIAL BEEN DEMANDED?**  YES  NO

**Note:** Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P, for procedure)

**RELIEF REQUESTED:**  MONETARY AWARD REQUESTED  NO MONETARY AWARD REQUESTED

**ATTORNEY CODE:**

WOR001

11/12/2019 4:46:28 PM

/s/ MICHAEL A. WOREL

Date

Signature of Attorney/Party filing this form

**MEDIATION REQUESTED:**  YES  NO  UNDECIDED

**Election to Proceed under the Alabama Rules for Expedited Civil Actions:**  YES  NO



## IN THE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA

LISA RENEE SPRUIELL,  
Individually and as personal  
representative of the heirs and estate of  
JAMES LAWSON SPRUIELL, deceased;  
and KIMBERLY AULD, Individually and  
as personal representative of the heirs  
and estate of JOHN WESLEY "TREY"  
AULD III, deceased,

Plaintiffs,

v.

AIR METHODS, CORP., a Delaware  
Corporation, dba ALABAMA LIFE  
SAVER,

Defendant.

CIVIL ACTION NUMBER

**COMPLAINT**

COMES NOW Plaintiffs do hereby allege and state:

**I.****PARTIES, JURISDICTION, VENUE AND GENERAL ALLEGATIONS**

1. This Complaint is for damages arising from the deaths of James Lawson Spruiell (“James Spruiell”) and John Wesley “Trey” Auld III (“Trey Auld”) while acting as a Medivac on a Part 135 non-scheduled air medical flight that crashed in Suttgart, Arkansas County, State of Arkansas, on November 19, 2017, which caused the deaths of a James Spruiell and Trey Auld from acts, conduct, occurrences, transactions, and circumstances which, if death had not ensued, would have entitled James Spruiell and Trey Auld to recover damages in respect thereof.

2. James Spruiell was a resident and citizen of Sulligent, County of Lamar, State of Alabama and was married to Plaintiff Lisa Renee Spruiell (“Lisa Spruiell”), who is also a resident and citizen of Sulligent, County of Lamar, State of Alabama. Plaintiff Lisa Spruiell has been appointed personal representative of the estate of James Spruiell in a July 16, 2018 order from the Alabama Probate Court of Lamar County, and represents herself and the legal heirs of James Spruiell, including son Jacob Spruiell, daughter Madison Spruiell, step-son Nathan McGriff, to whom James Spruiell stood in loco parentis, and step-daughter Danielle Atkinson, to whom James Spruiell stood in loco parentis.

3. Trey Auld was a resident and citizen of Shreveport, Louisiana and was the son of Plaintiff Kimberly Auld (“Kim Auld”), who is also a resident and citizen of Shreveport, Louisiana. Plaintiff Kim Auld has been appointed personal representative of the estate of Trey Auld in Arkansas County, Arkansas, and represents herself and the legal heirs of Trey Auld.

4. Defendant LifeSaver is an emergency helicopter transportation service that has been operating in Alabama for several years. Defendant Air Methods, Corporation (“Air Methods”) purchased it in 2009. Defendant Air Methods is a corporation existing under the laws of the State of Delaware, with a principal place of business in Alabama, under the name LifeSaver. At all relevant times, Air Methods was doing business in the State of Alabama, has a principal place of business in Alabama and has systematic contacts within the State of Alabama. Air Methods has a registered agent in Alabama. Air Methods operations in Alabama are substantial and of such a nature as to render Air Methods at home in the State of Alabama.

5. Venue is proper in Lamar County, Alabama, pursuant to Ala. Code 1975 § 6-3-7 (3) in that the Plaintiff resides in Lamar County

6. Many of the injuries occurred in Alabama.

7. This action is brought pursuant to the Alabama Wrongful Death Statute (Ala. Code 1975, § 6-5-410 et seq.) and/or related statutes and/or common law and/or any and all applicable laws of the state of Alabama.

**II.**  
**FACTUAL ALLEGATIONS**

8. On November 19, 2017, about 6:55 p.m. central standard time, a Bell 407 helicopter, N620PA, crashed on a reservoir bank near Stuttgart, Arkansas.

9. The Bell 407 was owned and operated by Defendant Air Methods, and was being piloted by Michael Todd Bollen, who was also employed by Defendant Air Methods.

10. The helicopter was registered to and operated by Air Methods Corporation under the provisions of Title 14 Code of Federal Regulations (CFR) Part 135.

11. The decedents James Spruiell and Trey Auld were medical crewmembers and were employed by Pafford Emergency Medical Services.

12. Visual meteorological conditions prevailed for the positioning flight, which was operated on a company visual flight rules flight plan. The flight originated from Pine Bluff, Arkansas, at 1820 and was in-route to pick up a patient in Helena, Arkansas, proceeding through the Arkansas Grand Prairie, near and around Stuttgart, Arkansas.

17. Defendant Air Methods was required to perform a preflight risk assessment that includes strategies and procedures for mitigating identified risks and determine the safe cruise altitude by evaluating obstacles that may exist along the planned route of flight.

18. Defendant Air Methods had many resources available to it to avoid bird strikes, such as the Avian Hazard Advisory System, the FAA Wildlife Strike Database and the US Air Force developed a Bird Avoidance Model (BAM).

13. It is well known and well understood that the area of Stuttgart, Arkansas is both the water fowl and rice capitals of the world. It is located in the Arkansas Grand Prairie where the commercial production of rice was pioneered in 1904 and led to Arkansas's status as the top rice producing state in the U.S.

14. Rice fields and irrigation reservoirs entice the annual migration of ducks and geese on the Mississippi Flyway to linger, making the area nationally renowned among waterfowl hunters, especially during the month of November.

15. It is also well known and understood in the aviation industry that 90% of all bird strikes happen below 3,000 feet above ground level. As such, the Federal Aviation Authority ("FAA") urges pilots to minimize en-route flying at lower altitudes during migration, and to remain especially vigilant in charted wildlife refuges and other natural areas contain unusually high local concentration of birds which may create a hazard to aircraft.

16. For eastbound helicopter traffic, a flight plan should include flying at 4,000 feet above ground level.

17. The helicopter was transmitting its position to the company via satellite communications. At 1855:50, the helicopter transmitted that it was heading 070°, traveling 116 knots at 1,252 ft mean sea level, or 1,075 feet above ground level. This was the last recorded data point.

18. Defendant Air Methods initiated a search when satellite tracking was lost, and the wreckage was located several hours later.

19. At the time of the crash, both the sun and the moon were more than  $15^{\circ}$  below the horizon, and dark night conditions existed with no illumination from the moon. The nearest areas of cultural light were over 13 miles away.

20. The helicopter was found on the bank of a reservoir on its right side on a heading about  $205^{\circ}$ . During the on-scene portion of the investigation, numerous geese, ducks, and cranes were observed in the reservoir and at another nearby reservoir.

21. Multiple bird remains were found from the cockpit area to the first bulkhead. Samples from the bird remains were sent to the Feather Identification Laboratory, Smithsonian Institution, National Museum of Natural History, Washington, DC.

22. An eye witness saw the helicopter fly over and then heard thousands of snow geese take flight because of the noise of the helicopter. She then saw the helicopter lose control, crash and explode.

23. The Arkansas Crime Laboratory, Little Rock, Arkansas, conducted an autopsy on the pilot. The cause of death was multiple injuries. The autopsy noted white bird feathers embedded in the pilot's coveralls and right boot.

24. Samples submitted to the Smithsonian contained remains from snow geese, which typically have an average weight of 4.8 and 5.48 lbs for females and males.

25. A review of the FAA Wildlife Strike Database found a strike report for November 17, 2011, about 0705 central standard time; the pilot of a Cessna 210 airplane reported striking a snow goose near the area of the accident site.

26. The US Air Force developed a Bird Avoidance Model (BAM) that analyzes and correlates bird habitats, migration patterns, and breeding characteristics with key environmental and man-made geospatial data. This model is used by military pilots and planners to monitor bird activity for strike mitigation purposes. At dusk, the strike probability for the accident area was forecast to be severe.

27. Defendant had a previous bird strike in that area and knew that the area was hazardous due to the potential for bird strikes.

**FIRST CAUSE OF ACTION**  
**NEGLIGENCE**

Plaintiffs repeat and incorporate herein the allegations of paragraphs 1 through 27 above.

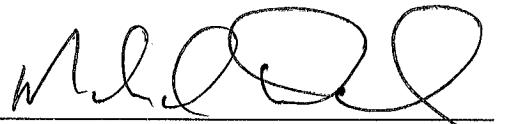
28. Defendant Air Methods owed the duties of care to Decedents James Spruiell and to Trey Auld which included a duty among other requirements to properly monitor bird activity using BAM, Avian Hazard Advisory System, and/or the FAA Wildlife Strike Database and to dispatch its pilots with routes and at altitudes to void bird strikes and to train its pilots to avoid bird strikes and how to control their helicopters when struck by birds.

29. Defendant Air Methods was negligent in fulfilling its duties.

30. As a direct and proximate result of said acts, Decedents suffered fatal injuries, conscious pain and suffering, fear of impending death, mental anguish and

WHEREFORE, Plaintiffs Lisa Renee Spruiell, Individually and as personal representative of the heirs and estate of James Lawson Spruiell, deceased, and Kimberly Auld, Individually and as personal representative of the heirs and estate of John Wesley "Trey" Auld, III demand judgments against Defendant Air Methods, Corp. dba Alabama Life Saver for punitive damages plus interests and costs. Plaintiffs request that the jury selected to hear this case render a verdict for Plaintiffs and against Defendant, and award damages in the amount which will adequately reflect the enormity of the Defendant's wrong in causing and/or contributing to cause the death of James Lawson Spruiell, deceased, and John Wesley "Trey" Auld, III, deceased, and which will effectively prevent other similarly-caused deaths.

Respectfully submitted,



DEWSNUP KING OLSEN WOREL  
HAVAS & MORTENSEN  
MICHAEL A. WOREL (ASB-4492-  
L69M)  
Utah State Bar No. 6616  
36 South State Street, Suite 2400  
Salt Lake City, Utah 84111  
(801) 533-0400  
(801) 363-4218 FAX  
[mworel@dkolaw.com](mailto:mworel@dkolaw.com)

MATTHEW LEDUKE  
JONATHAN LOWE  
LOWE MOBLEY LOWE & LEDUKE  
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HAMILTON, ALABAMA 35570  
(251) 921-5296  
(251) 921-9090 FAX  
[matt@lowemobleylowe.com](mailto:matt@lowemobleylowe.com)  
[jbl@lowemobleylowe.com](mailto:jbl@lowemobleylowe.com)

*Counsel for Plaintiffs*



AlaFile E-Notice

40-CV-2019-900045.00

To: MICHAEL A. WOREL  
docket@dkolaw.com

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## NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA

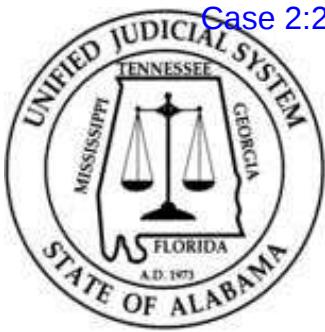
LISA RENEE SPRUIELL AS PERSONAL REPRESENTATIVE OF JAMES LAWSON SPRUIEL  
40-CV-2019-900045.00

The following complaint was FILED on 11/12/2019 4:46:33 PM

Notice Date: 11/12/2019 4:46:33 PM

MARY ANN JONES  
CIRCUIT COURT CLERK  
LAMAR COUNTY, ALABAMA  
P.O. BOX 434  
VERNON, AL, 35592

205-695-7193



AlaFile E-Notice

40-CV-2019-900045.00

To: AIR METHODS, CORP., A DELAWARE CORPORATION, DBA  
ALABAMA LIFE SAVER  
2 NORTH JACKSON ST. #605  
MONTGOMERY, AL, 36104

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## NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA

LISA RENEE SPRUIELL AS PERSONAL REPRESENTATIVE OF JAMES LAWSON SPRUIEL  
40-CV-2019-900045.00

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CIRCUIT COURT CLERK  
LAMAR COUNTY, ALABAMA  
P.O. BOX 434  
VERNON, AL, 35592

205-695-7193

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	<b>SUMMONS</b> <b>- CIVIL -</b>	<b>Court Case Number</b> 40-CV-2019-900045.00
<b>IN THE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA</b> <b>LISA RENEE SPRUIELL AS PERSONAL REPRESENTATIVE OF JAMES LAWSON SPRUIEL</b>		
<b>NOTICE TO:</b> AIR METHODS, CORP., A DELAWARE CORPORATION, DBA, ALABAMA LIFE SAVER 2 NORTH JACKSON ST. #605, MONTGOMERY, AL 36104 <hr style="border: 0.5px solid black; margin: 5px 0;"/> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">(Name and Address of Defendant)</span> </div> <p>THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), MICHAEL A. WOREL</p> <hr style="border: 0.5px solid black; margin: 5px 0;"/> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">[Name(s) of Attorney(s)]</span> </div> <p>WHOSE ADDRESS(ES) IS/ARE: 36 S. State Street, Suite 2400, Salt Lake City, UT 84111</p> <hr style="border: 0.5px solid black; margin: 5px 0;"/> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">[Address(es) of Plaintiff(s) or Attorney(s)]</span> </div> <p>THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.</p>		
<b>TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:</b>		
<p><input type="checkbox"/> You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.</p> <p><input checked="" type="checkbox"/> Service by certified mail of this Summons is initiated upon the written request of <b>LISA RENEE SPRUIELL AS PERSONAL REPRESENTATIVE OF JAMES LAWSON SPRUIELL, DECEASED</b></p>		
<p>pursuant to the Alabama Rules of the Civil Procedure.</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">[Name(s)]</span> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">11/12/2019</span> <span style="flex-grow: 1;">/s/ MARY ANN JONES</span> <span style="flex-grow: 1;">By: _____</span> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">(Date)</span> <span style="flex-grow: 1;">(Signature of Clerk)</span> <span style="flex-grow: 1;">(Name)</span> </div>		
<p><input checked="" type="checkbox"/> Certified Mail is hereby requested.</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">/s/ MICHAEL A. WOREL</span> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">(Plaintiff's/Attorney's Signature)</span> </div>		
<b>RETURN ON SERVICE</b>		
<p><input type="checkbox"/> Return receipt of certified mail received in this office on _____.</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">(Date)</span> </div>		
<p><input type="checkbox"/> I certify that I personally delivered a copy of this Summons and Complaint or other document to _____</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">in _____</span> <span style="flex-grow: 1;">County,</span> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">(Name of Person Served)</span> <span style="flex-grow: 1;">(Name of County)</span> </div>		
<p>Alabama on _____.</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">(Date)</span> <span style="flex-grow: 1;">(Address of Server)</span> </div>		
<div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">(Type of Process Server)</span> <span style="flex-grow: 1;">(Server's Signature)</span> <span style="flex-grow: 1;">_____</span> </div>		
<div style="display: flex; justify-content: space-between; align-items: center;"> <span style="flex-grow: 1;">(Server's Printed Name)</span> <span style="flex-grow: 1;">(Phone Number of Server)</span> <span style="flex-grow: 1;">_____</span> </div>		



## SENDER: COMPLETE THIS SECTION

## COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits. CV 199-116

## 1. Article Addressed to:

Air Methods, Corp A Delaware Corp  
dba Alabama Life Savers  
2 N Jackson St #605  
Montgomery, AL 36104



9590 9402 3312 7196 7067 55

## 2. Article Number (Transfer from service label)

7019 0140 0000 9363 0010

## A. Signature

X *Johnnae Stockwood*  Agent  
 Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

NOV 18 2019

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

## 3. Service Type

- Priority Mail Express
- Registered Mail
- Adult Signature Restricted Delivery
- Certified Mail
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Mail
- Mail Restricted Delivery

- Signature Confirmation
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

USPS TRACK-N-MEX



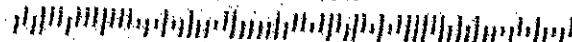
9590 9402 3312 7196 7067 55

United States  
Postal Service

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No: G-10

\* Sender: Please print your name, address, and ZIP+4® in this box\*

Lamar Co. Circuit Clerk  
P.O. Box 434  
Vernon, AL 35592



# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$

Total Postage and Fees

\$

Postmark  
Here

Sent To

CV-199-45

Air Methods, Corp/Al Life Saver

Street and Apt. No., or P.O. Box No.

City, State, Zip+4

2 N Jackson St # 605

Montgomery, AL 36104

## STATE OF ALABAMA

Revised 3/5/08

Case



ELECTRONICALLY FILED  
12/12/2019 3:27 PM  
40-CV-2019-900045.00  
CIRCUIT COURT OF  
LAMAR COUNTY, ALABAMA  
MARY ANN JONES, CLERK

Unified Judicial System

40-LAMAR

 District Court Circuit Court

CV20

LISA RENEE SPRUIELL AS PERSONAL  
REPRESENTATIVE OF JAMES LAWSON SPRUIEL

## CIVIL MOTION COVER SHEET

Name of Filing Party: C001 - DECEASED LISA RENEE SPRUIELL AS  
PERSONAL REPRESENT  
C002 - AULD, III, DECEASED KIMBERLY AULD,  
AS PERSONAL REP

Name, Address, and Telephone No. of Attorney or Party. If Not Represented.

MATTHEW BEN LEDUKE  
P.O. Box 819  
HAMILTON, AL 35570  
Attorney Bar No.: LED010

 Oral Arguments Requested

## TYPE OF MOTION

Motions Requiring Fee	Motions Not Requiring Fee
<p><input type="checkbox"/> Default Judgment (\$50.00) Joinder in Other Party's Dispositive Motion (i.e. Summary Judgment, Judgment on the Pleadings, or other Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)</p> <p><input type="checkbox"/> Judgment on the Pleadings (\$50.00)</p> <p><input type="checkbox"/> Motion to Dismiss, or in the Alternative Summary Judgment (\$50.00) Renewed Dispositive Motion (Summary Judgment, Judgment on the Pleadings, or other Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)</p> <p><input type="checkbox"/> Summary Judgment pursuant to Rule 56 (\$50.00)</p> <p><input type="checkbox"/> Motion to Intervene (\$297.00)</p> <p><input checked="" type="checkbox"/> Other <u>Verified Application to Practice Pro Hac Vice</u> pursuant to Rule VII of the Rules Governing Admission to the State Bar (\$325.00)</p>	<p><input type="checkbox"/> Add Party</p> <p><input type="checkbox"/> Amend</p> <p><input type="checkbox"/> Change of Venue/Transfer</p> <p><input type="checkbox"/> Compel</p> <p><input type="checkbox"/> Consolidation</p> <p><input type="checkbox"/> Continue</p> <p><input type="checkbox"/> Deposition</p> <p><input type="checkbox"/> Designate a Mediator</p> <p><input type="checkbox"/> Judgment as a Matter of Law (during Trial)</p> <p><input type="checkbox"/> Disburse Funds</p> <p><input type="checkbox"/> Extension of Time</p> <p><input type="checkbox"/> In Limine</p> <p><input type="checkbox"/> Joinder</p> <p><input type="checkbox"/> More Definite Statement</p> <p><input type="checkbox"/> Motion to Dismiss pursuant to Rule 12(b)</p> <p><input type="checkbox"/> New Trial</p> <p><input type="checkbox"/> Objection of Exemptions Claimed</p> <p><input type="checkbox"/> Pendente Lite</p> <p><input type="checkbox"/> Plaintiff's Motion to Dismiss</p> <p><input type="checkbox"/> Preliminary Injunction</p> <p><input type="checkbox"/> Protective Order</p> <p><input type="checkbox"/> Quash</p> <p><input type="checkbox"/> Release from Stay of Execution</p> <p><input type="checkbox"/> Sanctions</p> <p><input type="checkbox"/> Sever</p> <p><input type="checkbox"/> Special Practice in Alabama</p> <p><input type="checkbox"/> Stay</p> <p><input type="checkbox"/> Strike</p> <p><input type="checkbox"/> Supplement to Pending Motion</p> <p><input type="checkbox"/> Vacate or Modify</p> <p><input type="checkbox"/> Withdraw</p> <p><input type="checkbox"/> Other</p>

\*Motion fees are enumerated in §12-19-71(a). Fees pursuant to Local Act are not included. Please contact the Clerk of the Court regarding applicable local fees.

Local Court Costs \$ 0

pursuant to Rule (Subject to Filing Fee)

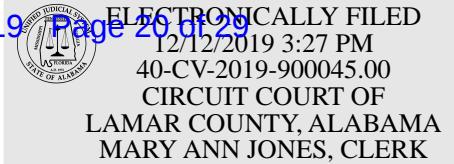
Check here if you have filed or are filing contemporaneously with this motion an Affidavit of Substantial Hardship or if you are filing on behalf of an agency or department of the State, county, or municipal government. (Pursuant to §6-5-1 Code of Alabama (1975), governmental entities are exempt from prepayment of filing fees)

Date:  
12/12/2019 3:10:07 PM

Signature of Attorney or Party  
/s/ MATTHEW BEN LEDUKE



Case 2:20-cv-00007-DPM Document 1-1 Filed 12/18/19 Page 29 of 29  
 LISA RENEE SPRUIELL, Individually and as personal representative of the heirs and estate of JAMES LAWSON SPRUIELL, deceased; and KIMBERLY AULD, Individually and as personal representative of the heirs and estate of JOHN WESLEY "TREY" AULD, III, deceased,



Plaintiff

40-CV-2019-900045.00

Case No.

VS.

Lamar County

(Court or Administrative Agency)

AIR METHODS, CORP., a Delaware Corporation, dba ALABAMA LIFE SAVER

Defendant

**VERIFIED APPLICATION FOR ADMISSION  
 TO PRACTICE UNDER RULE VII OF THE  
 RULES GOVERNING ADMISSION TO THE ALABAMA STATE BAR**

Comes now Alan W. Mortensen, applicant herein, and respectfully represents the following:

1. Applicant resides at 157 W. 300 S.

Street Address

Bountiful, Davis, Utah,  
 City County State  
84010, 801-556-6867, [REDACTED]  
 Zip Code Telephone Social Security Number

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Dewsnap, King, Olsen, Worel, Havas & Mortensen, with offices at 36 South State Street, Suite 2400, Salt Lake City,

Street Address City  
Salt Lake, Utah, 84111, 801-533-0400,  
 County State Zip Code Telephone  
amort@dkowlaw.com  
 E-mail

3. Applicant has been retained personally or as a member of the above named law firm by Michael Worel to provide legal representation in connection with the above-styled matter now pending before the above-named court or administrative agency of the State of Alabama.

4. Since October 19 of 19/20 93, applicant has been, and presently is, a member in good standing of the Bar of the highest court of the State of Utah, where applicant regularly practices law **ATTACH A CERTIFICATE OF GOOD STANDING.**

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states.)

Court:	Date Admitted:
U.S. Supreme Court	11/4/13
U.S. Court of Appeal 10th District	10/29/93
State Bar of Colorado	7/7/95
State Bar of Wyoming	9/2/94

Applicant is presently a member in good standing of the Bars of those courts listed above, except as may be listed below: (Here list any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

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6. Applicant presently is not subject to any disbarment proceedings, except as provided below (give particulars, e.g., jurisdiction, court, date):

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7. Applicant presently is not subject to any suspension proceedings, except as provided below (give particulars, e.g., jurisdiction, court, date):

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8. Applicant never has been subject to any disbarment proceedings, except as provided below (give particulars, e.g., jurisdiction, date of proceedings, court, date of reinstatement):

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9. Applicant never has been subject to any suspension proceedings, except as provided below (give particulars, e.g., jurisdiction, date of proceedings, court, date of reinstatement):

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10. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

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11. Applicant, either by resignation, withdrawal, or otherwise, never has terminated or attempted to terminate applicant's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings.

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12. Applicant or a member of applicant's firm has filed applications(s) to appear as counsel under Rule VII during the past three (3) years in the following matters:

Date of Application	Name of Applicant	Case No. and Style of Case	Court or Admin. Body	Application Granted/Denied
11/1/19	Lance L. Milne	CV-2018-902653.00, Comalander v. Canale, et al.	Mobile County	Pending

(If necessary, please attach statement of additional applications.)

13. Local counsel of record associated with applicant in this matter is Michael Worel

who has offices at 36 South State Street, Suite 2400 ,

Salt Lake City, Salt Lake, Utah, Alabama,  
City County

84111, 801-533-0400, mworel@dkowlaw.com  
Zip Code Telephone E-mail

14. The following list accurately states the name and address of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the name and address of each counsel of record who has appeared for each party:

Name of Party	Mailing Address
Lisa Renee Spruill	PO Box 495, Sulligent, AL 35586
Kimberly Auld	626 Pelican Pl., Shreveport, LA 71101
Air Methods, Corp. dba Alabama Life Saver	7301 S. Peoria Street, Englewood, CO 80112

**(Item 14, Continued)**

**Name of Counsel:** Dewsnap King Olsen Worel Havas Mortensen      **Party Represented:** Lisa Spruill

**Mailing Address and E-mail:** 36 South State Street, Suite 2400

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**Salt Lake City, UT 84111**

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[mworel@dkowlaw.com](mailto:mworel@dkowlaw.com)

**Name of Counsel:** Dewsnap King Olsen Worel Havas Mortensen      **Party Represented:** Kimberly Auld

Mailing Address and E-mail: 36 South State Street, Suite 2400

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**Salt Lake City, UT 84111**

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[mworel@dkowlaw.com](mailto:mworel@dkowlaw.com)

**Name of Counsel:** **Party Represented:**

**Mailing Address and E-mail:**

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**Name of Counsel:** **Party Represented:**

**Mailing Address and E-mail:**

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Name of Counsel: \_\_\_\_\_ Party Represented: \_\_\_\_\_

**Mailing Address and E-mail:**

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(If necessary, please attach list of additional attorney's)

15. Applicant agrees to comply with the provisions of the Alabama Rules of Professional Conduct, and applicant consents to the jurisdiction of the courts and the disciplinary boards of the State of Alabama.

16. Applicant respectfully requests to be admitted to practice in the above named court or administrative agency for this cause only.

DATED this 27<sup>th</sup> of November, 2019.



APPLICANT

STATE OF Utah)

COUNTY OF Salt Lake)

I, Alan W. Mortensen, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof, and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.



APPLICANT

Subscribed and Sworn to before me this

27<sup>th</sup> day of November, 2019.

  
NOTARY PUBLIC

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rule VII of the Rules Governing Admission to the Alabama State Bar.

DATED this 12<sup>th</sup> day of December, 20 19.

Matt L Duke  
LOCAL COUNSEL

NOTICE OF HEARING

This application for admission is set for hearing by the court or administrative agency in the style hereof on the 10<sup>th</sup> day of Jan., 20 20.

Matt L Duke  
LOCAL COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that I have filed this application and fees with the Alabama State Bar:

**Civil PHV Motions:** via **Alafile** (Including \$300 electronic filing fee/\$25 electronic CSF Assessment)

**Criminal PHV Motions:** via USPS to Alabama State Bar, PHV Regulatory Office, PO Box 671, Montgomery, AL 36101, accompanied by **two separate checks** (\$300 filing fee/\$25 CSF Assessment) (Must be filed with the Bar at least 21 days prior to PHV hearing date provided above)

On this the 12<sup>th</sup> day of December, 20 19.

Matt L Duke  
LOCAL COUNSEL



# Utah State Bar®

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Cara M. Tangaro  
 Tangaro Law Firm  
 Salt Lake City

Heather L. Thuet  
 Christensen & Jensen  
 Salt Lake City

Kristin K. Woods  
 Attorney at Law  
 St. George

\*This document expires 60 days from the date of issuance\*

Friday, November 15, 2019

To Whom It May Concern:

**Re: CERTIFICATE OF GOOD STANDING for Alan W. Mortensen**

This is to certify that Alan W. Mortensen, Utah State Bar No. 00006616 and was admitted to practice law in Utah on 10/19/1993.

Alan W. Mortensen is currently an ACTIVE member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

*Elizabeth A. Wright*

Elizabeth A. Wright  
 General Counsel  
 Utah State Bar





## STATEMENT

The following information, in response to the application of petitioner, is furnished in compliance with Rule VII, Rules Governing Admission to the Alabama State Bar (*Pro Hac Vice*):

**PETITIONER:** Mr. Alan W. Mortensen  
Dewsnap King Olsen Worel Havas & Mortensen  
36 S State St Ste 2400  
Salt Lake City, UT 84111-0000

**CURRENT APPLICATION:**

Date Application Received:	December 12, 2019
Case No.:	40-CV19-900045
Style:	Lisa Renee Spruill, etc v. Air Methods Corp
Court/Agency:	Circuit Court of Lamar County
Date of Hearing:	January 10, 2020

**LOCAL COUNSEL:** Mr. Matthew Ben LeDuke  
Lowe Mobley Lowe & LeDuke  
PO Box 819  
Hamilton, AL 35570-0819

APPLICATIONS FOR RULE VII ADMISSION HAVE BEEN MADE BY ABOVE PETITIONER OR OTHER ATTORNEY MEMBERS OF PETITIONER'S FIRM IN THE PRECEDING THREE YEARS AS LISTED:

See Attached

s/Cathy Sue McCurry

PHV Clerk

December 16, 2019



Lawyers Render Service

**Dewsnup King Olsen Worel Havas & Mortensen**

Dates reported: December 12, 2016 - December 12, 2019

	Date App			
Applicant	Received	Case	Court	G/D/P/M
Lance L. Milne	11/06/2019	02-CV18-902653	Circuit Court of Mobile County	Pending
Alan W. Mortensen	12/12/2019	40-CV19-900045	Circuit Court of Lamar County	Pending